

- Sec.
219. Injunction proceedings; compromise of liability.
219a. Severability.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 15 section 1459; title 19 section 1754; title 26 section 5171.

SUBCHAPTER I—FEDERAL ALCOHOL ADMINISTRATION

§ 201. Short title

This subchapter may be cited as the “Federal Alcohol Administration Act”.

(Aug. 29, 1935, ch. 814, title I, § 101, formerly § 1, 49 Stat. 977; renumbered title I, § 101, and amended Pub. L. 100–690, title VIII, § 8001(a)(1), (2), (b)(1), Nov. 18, 1988, 102 Stat. 4517, 4521.)

AMENDMENTS

1988—Pub. L. 100–690, § 8001(b)(1), amended section generally, substituting “subchapter” for “chapter”.

SHORT TITLE

Section 201 of title II of act Aug. 29, 1935, as added Nov. 18, 1988, Pub. L. 100–690, title VIII, § 8001(a)(3), 102 Stat. 4518, provided that: “This title [enacting subchapter II of this chapter] may be cited as the ‘Alcoholic Beverage Labeling Act of 1988.’”

TRANSFER OF FUNCTIONS

Federal Alcohol Administration and offices of members and Administrator thereof were abolished and their functions directed to be administered under direction and supervision of Secretary of Treasury through Bureau of Internal Revenue [now Internal Revenue Service] in Department of Treasury, by Reorg. Plan No. III of 1940, § 2, eff. June 30, 1940, 5 F.R. 2107, 54 Stat. 1232, set out in the Appendix to Title 5, Government Organization and Employees. See also, sections 8 and 9 of said plan for provisions relating to transfer of records, property, personnel, and funds. Section 2 of Reorg. Plan No. III of 1940 was repealed as executed by Pub. L. 97–258, § 5(b), Sept. 13, 1982, 96 Stat. 1068, 1085, the first section of which enacted Title 31, Money and Finance. Department of the Treasury Order 221 of July 1, 1972, established the Bureau of Alcohol, Tobacco and Firearms and transferred to it the alcohol and functions of the Internal Revenue Service.

§ 202. General provisions**(a) to (d) Omitted****(e) Expenditures**

Appropriations to carry out powers and duties of the Secretary of the Treasury under this chapter shall be available for expenditure, among other purposes, for personal services and rent in the District of Columbia and elsewhere, expenses for travel and subsistence, for law books, books of reference, magazines, periodicals, and newspapers, for contract stenographic reporting services, for subscriptions for library services, for purchase of samples for analysis or use as evidence, and for holding conferences of State and Federal liquor control officials.

(f) Utilization of other governmental agencies

The Secretary of the Treasury may, with the consent of the department or agency affected, utilize the services of any department or other agency of the Government to the extent nec-

essary to carry out his powers and duties under this chapter and authorize officers and employees thereof to act as his agents.

(g) Applicability of other laws

The provisions including penalties, of sections 49 and 50 of title 15, shall be applicable to the jurisdiction, powers, and duties of the Secretary of the Treasury under this chapter, and to any person (whether or not a corporation) subject to the provisions of laws administered by the Secretary of the Treasury under this chapter.

(h) Reports to Secretary

The Secretary of the Treasury is authorized to require, in such manner and form as he shall prescribe, such reports as are necessary to carry out his powers and duties under this chapter.

(Aug. 29, 1935, ch. 814, title I, § 102, formerly § 2, 49 Stat. 977; 1940 Reorg. Plan No. III, § 2, eff. June 30, 1940, 5 F.R. 2108, 54 Stat. 1232; Aug. 7, 1946, ch. 770, § 1(46), 60 Stat. 870; renumbered title I, § 102, Pub. L. 100–690, title VIII, § 8001(a)(1), (2), Nov. 18, 1988, 102 Stat. 4517.)

CODIFICATION

Subsections (a) to (d) provided for the creation of a Federal Alcohol Administration as a division of the Treasury Department. By act June 26, 1936, ch. 830, title V, 49 Stat. 1964, however, those subsections were repealed and a new Administration created as an independent agency. The repealing act was to be effective when the new administrators authorized thereby were appointed. While the officers so authorized were never appointed and the repeal therefore never became effective, subsections (a) to (d) have been omitted in view of Reorg. Plan No. III of 1940, set out in the Appendix to Title 5, Government Organization and Employees, which abolished the Administration and transferred its functions to the Secretary of the Treasury to be administered through the Bureau of Internal Revenue [now Internal Revenue Service]. See, also, Transfer of Functions note set out under section 201 of this title.

AMENDMENTS

1946—Subsec. (i). Act Aug. 7, 1946, struck out subsec. (i) which related to reports to Congress by the Secretary of the Treasury with respect to the administration of the functions charged to the Secretary under this chapter.

§§ 202a, 202b. Repealed. Pub. L. 89–554, § 8(a), Sept. 6, 1966, 80 Stat. 649

Section 202a, act June 26, 1936, ch. 830, title V, § 501, 49 Stat. 1964, established the Federal Alcohol Administration, and provided for appointment, duties, and pay of its employees.

Section 202b, act June 26, 1936, ch. 830, title V, § 502, 49 Stat. 1964, provided for appointment, pay, tenure, and powers of members of the Federal Alcohol Administration.

§ 202c. Omitted

CODIFICATION

Section, act June 26, 1936, ch. 830, title V, § 503, 49 Stat. 1965, which provided for repeal of former laws, was to have taken effect when a majority of the members authorized to be appointed took office under section 202b of this title. The members, however, were never appointed.

§ 203. Unlawful businesses without permit; application to State agency

In order effectively to regulate interstate and foreign commerce in distilled spirits, wine, and